

BRENTWOOD BOARD OF SELECTMEN
MINUTES OF 9/15/09 MEETING

Convened: 6:15 p.m.

Present: Jeffrey Bryan
Andrew Artimovich
Jane Byrne
David Menter

The Board began the meeting by discussing issues for the department head meeting. Bryan mentioned that he doesn't feel we can vote on the COLA that was recommended by Mr. Cadwell since George is not present. So, we will have to wait to inform the department heads what to do with this.

Bryan inquired with the other members if they have any thoughts on where particular departments can reduce their budgets. Byrne recommended leaving that up to the department heads; just give them the bottom line of last year or less.

The Board reviewed proposed changes to the employee handbook:

1. The current handbook states that personnel files are kept in the Selectmen's office. The question was raised if we want to change the wording on this since this actually is not the case. Byrne responded that the Selectmen's office does keep a certain amount of personnel records. Artimovich said that Police & Fire Departments do still keep their own personnel records. Stevens added that the highway department does as well. Byrne continued that we do still have folders on employees here too. Stevens clarified that they do not contain all the information that should be in them though. Bryan commented that we're not allowed to have duplicate files. Artimovich said he believes we can but there just has to be one "official" file. Bryan stated that he still feels strongly that employee files should be kept in the Selectmen's office. Byrne said she would support it 100% if each department head had their own drawer and own key. Bryan responded that they should be accessible to the Selectmen, not to any one Selectmen, only as a group if requested. Byrne disagreed and continued that she thinks they should be in the control of the department head. Bryan replied that the Selectmen, as a group, are the boss, or employer, of every employee of this town. Bryan continued that if the group felt there was an issue with an employee the Selectmen should have access to a file if requested. Byrne responded that she feels the request should be made to the department head and they say yeah or nay. Bryan said we do not have to ask the department head's permission, as long as it is requested as a group, not an individual. Byrne commented that she does not like to see us put into an adversarial position. Bryan said that unfortunately the Selectmen sometimes need to be and the Board is the "employer" of a company with about 35 employees. Byrne said that they (companies) have human resource departments, we don't. Bryan said the Selectmen are the human resource department. Stevens questioned what a human resource department does that the Selectmen's office (being the Board, Town Administrator and payroll clerk) don't do. Byrne said they negotiate insurance, take care of insurance issues, etc. Stevens replied that their office does take care of all that. Artimovich explained that we run on a smaller scale and can't afford to have a separate human resource

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department; we have the Selectmen and 2 employees in the department that handle those issues.

2. Adding that ET can not be used during periods of mandatory unpaid leave or suspension.
3. Add that you can not use sick pool days during mandatory unpaid leave.
4. Reference the Corrective Counseling Form in the verbal and written warning sections.
5. Clarify that ET can not be used during suspension.
6. To section for Alcohol & Drug Testing for CDL employees, add the consequences of a positive test (following the guidelines of the DOT).
7. Add the following policies: Ethics, anti-fraud, time card, credit card usage, training/class attendance.

The Board discussed possible solutions to the problem that employees seldom return the signature page of the employee handbook. For Dept. of Labor and legal purposes these need to get returned. Artimovich stated that the signature page needs to go in their personnel files. Bryan asked what can be done if employees don't turn them in. Artimovich said we would follow the progressive discipline steps as described in the employee handbook. Artimovich suggests leaving it up to the department heads to review handbook changes with their employees and get signed copies returned. Artimovich then recommended handing out the proposed handbook changes to the department heads for their review and feedback as that was a sticky point last time.

The Board decided to wait for Waldron to be present before voting on the proposed changes.

Stevens handed out copies of budget reports with year-to-date expenditures. Artimovich questioned the lines for insurance – property liability and workers compensation. Stevens explained that property liability is paid once annually and workers comp is paid monthly. Artimovich said that it looks like we'll be over budget for the last 2 months.

The Board reviewed payroll, accounts payable, and signed the register. The Board reviewed and signed the recreation manifest.

Jonathan Ellis was in to present the weekly Treasurer's report. Artimovich questioned whether or not we've heard from Citizens regarding a "demo" check scanner we can use until the end of the year. Ellis said he has not received any confirmation of that yet.

The Board reviewed the minutes of the 9/1/09 meeting. Byrne made a motion, seconded by Artimovich, to approve the minutes. All voted in favor. Byrne made a motion, with a second from Menter, to accept the nonpublic minutes of 9/1/09. All voted in favor.

The Board reviewed the notes:

- Artimovich said he will attend an Emergency Management meeting at 9am on 9/16.
- The Board approved Jim Colcord constructing an overhang for the secondary entrance to the Police Dept to prevent the door from further rot.

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- Artimovich made a motion to suspend collection of the timber tax for Patricia Kady pending the property owner's receipt of money from any legal settlements. Motion was seconded by Byrne, all voted in favor.
- There will be a Budget Committee tour of the different departments and town buildings on October 9th beginning at 8:30 a.m.
- Tim Gauthier submitted his resignation on 9/12 to Wayne Robinson effective immediately. Byrne made a motion, seconded by Menter, to accept his resignation. All voted in favor.
- At the request of the Board, Stevens checked with legal counsel at LGC regarding the Municipal Records Committee membership. They indicated that the RSA is very specific about who is to be on the committee and does not allow for other members.

Building Inspector Gil Tuck was in with the following permits which were approved by the Selectmen:

- Lois Hudgens of 210 Pickpocket Rd to update the electrical service.
- River Built Homes for a new house at 2 Greenleaf Circle.

The Board signed the following documents:

- A slope easement deed for the Firemen's Association parcel for the Construction of the Crawley Falls Bridge.
- Letters to all of the legal firms that submitted proposals to represent Brentwood as Town Counsel.
- A motion was made by Artimovich and seconded by Byrne to approve an application for current use by John & Amy Standley for map 211 lot 42 which is adjacent to their approximate 33 acre parcel that is now in current use. All voted in favor. Since they missed the 2009 deadline, it will be reflected in their 2010 property taxes.
- Appointment slip for the state to appoint Richard Murphy to the position of Emergency Management Director.
- 3 copies of a Municipal Work Zone agreement for the 2 projects that will take place on Rte 125 indicating that the State will take care of traffic control.

Bryan opened up the department head meeting:

Kevin Lemoine of the Fire Department

- The budget looks good for the year.
- The utility truck is in and done at about \$9,000 under budget.
- The forestry was sold for \$4,000.

Bryan inquired about the new extended coverage schedule. Lemoine responded that he hasn't seen a big difference but will definitely keep it for next year. He said they've missed about 12 calls so far this year due to lack of personnel but they're all at various times so it's hard to pinpoint where the problem is. The only solution he can see is standby pay which would be quite expensive and probably not solve the problem but would help it.

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Byrne asked if they have been able to get the new utility truck inside. Lemoine said they've been putting it inside on the weekends and when bad weather is predicted. He said it is very tight in there.

Artimovich suggested to the Board that the need for call personnel be included in any advertising that may get done for the highway department. Lemoine said he's had a couple of responses from the article in the Brentwood Newsletter.

Wayne Robinson for the Police Department

- He thinks their budget will be OK.
- They've lost 1 full time officer and are trying to work that out. So far they're doing ok without filling the position but may end up using more overtime than normal.
- If there is any money left in his budget at year end, the pd needs a new copy machine and needs to replace a computer. Bryan questioned the cost of a new copy machine. Christine Belanger, the secretary for the police dept, said she was going to look into a lease/purchase option for next year's budget.

Wayne Robinson for the Highway Department

- Budget does not look bad.
- The figure for fixing the South Rd Bridge is \$40,185. The approximate \$7,000 increase from the original estimate is due to some additional cutting and an extra \$4,000 to chip away loose cement underneath the bridge and filling it back in.
- They've got one more load of salt to get before winter. This year's price is much less than last year.
- Sand is being delivered.
- No issues with the dumpsters since the cameras and signage were installed.

Phyllis Thompson for Town Clerk/Tax Collector

- Is looking for revenue figures.
- Next week they'll start e-registrations on line.

Bob Gilbert for Library Trustees

- Budget is right on track.
- Outside work has been accomplished.
- Generator is ready to go they are just waiting for a price on the transfer switch.

Bruce Stevens, Planning Board Chairman

- Planning Board budget is right on line and will probably turn some money back in at the end of the year.
- It has been a slow year with developments and site plan reviews but that has given Glenn Greenwood, Circuit Rider Planner, to take care of some work that has been put on the back burner for a number of years.
- They have concluded a build-out analysis with grant money from RPC. The report includes a GIS generated map that displays the location of future potential

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developable land in the residential zones. It includes an analysis of the house and commercial units in town which number about 1500 currently. Based on an analysis of soil types, topography, etc. the bottom line is there is the potential to basically double the number of residential and commercial units using current zoning. Final copies will be available in the Planning Board office very shortly.

- The Community Facilities chapter of the Master plan has been updated. You have to keep your Master Plan up to date in order to collect your impact fees as a requirement of state law. This chapter provides an inventory of current levels of service for each department and provides input of their future needs.
- The Planning Board continues to create a Work Force Housing Ordinance to have ready to present to the voters in 2010 as required by the State.
- They recently received a \$3,000 matching grant from the RPC for 2009-2010 for the development of an Open Space Chapter to be included in the Town's Master Plan.
- There is a joint effort between the Conservation Commission and Planning Board in response to a grant received through the Piscataqua Region Estuaries Partnership for updating the Town's Storm Water and Erosion Control Ordinance.
- The PB has received its first new application for an 11 lot residential subdivision off of Rowell Road. It's been a long time since they've had anything other than a single lot subdivision.
- They have their first fireworks store that wants to come to town and are currently before the Board with a site plan application. The store is to be named *Three Finger Eddie's* and would be located next to Goody Cole's on Rte 125.

Byrne asked if the build-out analysis is available to any developer that could come to Town. Bruce Stevens responded that it is. Byrne inquired what the Town got out of the build-out analysis. Stevens said for planning purposes it may be of assistance in bringing in more commercial development which helps with the tax rate. Or, if you want to minimize that impact, you could look into more conservation land.

Byrne discussed the possibility of hooking up with Epping's town water/sewer lines along Rte. 125 for potential commercial development. Bruce said it would probably behoove Brentwood to at least find out what the possibilities are. Bob Gilbert commented that the biggest problem with that is it opens up the door to developers for law suits and you would need to see how it affects the Town long term.

Margaret Dullea with Recreation News

- Our fall soccer program is up 17% in player sign ups. The program has been expanded to include Pre K through Grade 4 and has been received very well.
- They are working with directors from Stratham and Newfields to possibly use the CMS and Talbot gyms collaboratively for our recreation basketball programs as a shared expense.
- They are trying to build up their adult sports programs (pick-up format) so have asked for, and are starting to receive, feedback from residents interested in participating.

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- The recreation department applied for and received a \$4,000 Timberland Grant. They will be coming out on their Serv-A-Palooza day (October 8th) with approximately 80-100 volunteers to do painting, face lifts, repairs, create 2 new baseball fields and build the pavilion which is the second phase of the playground project.
- Requests for BCC rentals are continuing to increase. There are events booked for every weekend in October as well as groups using it almost every night of the week for everything from yoga, to cribbage, to scouts.
- The recreation department will not be submitting any warrant articles for 2010.

Bryan asked how the snack shack employee worked out. Dullea reported that they broke even but the response was great that there was consistency with it being open. They are hoping to build on that.

Skip Belanger of the Cemetery Trustees

- Cemetery budget is on target.
- No major expansion planned for next year.
- The dedication of the Veteran's Memorial is coming up. They have a new monument that was purchased from the maintenance fund and will have a dedication ceremony on November 8th at the Tonry Cemetery.

Rob Wofchuck for the Conservation Commission

- The ConCom is well under its budget and will probably end up that way for the year.
- There is 1 program for Open Space that is well-funded this year through the USDA that we had 4 landowners apply for. It is through the wetland reserve program for properties that contain 50% or more wetlands. The unofficial word is that 2 landowners have accepted the offers, a 3rd is interested in working out a few minor details, and there is no word on the 4th. They have been working to identify other landowners in town that might be eligible and are currently working with 4 landowners to get applications in for the next round of this program.
- As Bruce mentioned, they got a \$9,000 estuaries grant to do storm water management in town. The grant allowed them to hire a consultant to help them. They've been working with the planning board on a storm water ordinance.
- They received a donation of 900 reusable grocery bags and will giving them out at various events. They were donated by a granola company.
- The Trails Committee received a \$1,000 grant from the NH Electric Coop for the replacement of the foot bridge over the Little River.
- They purchased a hand held GPS for use in easement monitoring.

All department heads received copies of the proposed changes to the handbook. Thompson suggested having another department head meeting to discuss these changes. The Board agreed to meet with department heads again on 9/29.

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The Board is requesting that all departments keep their budgets even funded for 2010. The Board received a COLA recommendation of 1 to 1.7% but the Board has not voted on it yet. Thompson asked what the teachers are doing. The Board responded that their contracts are already signed and locked in. Thompson commented that the School Board can go back to the Union and discuss it, as the State is doing. She questioned why they should get 4.5% and step increases and the town employees get 1.7% or nothing; it's not fair. Bryan explained that municipal jobs generally offer job security and stability which is a lot these days.

That concluded the department head meeting.

Fire Chief Kevin Lemoine was in to discuss the following:

- The Selectmen signed reappointment forms for the deputy fire wardens for the state.
- The contract for the new pumper tanker was signed. Menter questioned whether or not the contract should be reviewed by legal counsel. Lemoine said he brought that up a while back and they didn't think it was needed. They have a bid bond that has come and gone, and they have a performance bond of about \$1,500 which is part of the contract. Byrne asked where the performance bond is. Lemoine said it is in with the original contract. Byrne would like a copy of that part in the office.
- The 2 full-time fire fighters are joining area towns in a non-bargaining international union. This gives them legal counsel and information.
- The FD is going to apply for the LGC Grant for \$2,000 for exercise equipment.
- The results of the Fire Station Grant should start trickling in on October 1st.

Dane Hahn of Betty LabBranche Real Estate was in to discuss a parcel on Rte. 125 that is for sale (217.024.000). The owner, Unio Realty Trust, is interested in subdividing the 46.66 acre parcel into 3 lots and is wondering if the Town would consider purchasing a 6 acre parcel containing 2 high volume wells for future Town use. Hahn distributed a proposed subdivision plan and a wetlands survey of the parcel. The owner is willing to finance it for the Town by accepting a down payment with monthly payments. Byrne questioned who did the wetlands survey. Hahn responded that it was New England Soils; Millennium Engineering did the subdivision plan. Bryan asked what the owner is asking for the 6 acre parcel. Hahn said he is looking for \$300,000. The buildable area is about 4 acres. Bryan recommended he speak with the Conservation Commission as it sounds like there is a lot of grant money available for wetlands.

Wayne Robinson was in to discuss the vacancy in the highway department created by Gauthier's resignation. Robinson stated we need a plow driver in the winter and someone to mow in the summer. His recommendation is to get a seasonal plow driver for the winter, and a seasonal employee for mowing in the summer. Robinson doesn't feel it will be difficult to get a summer employee as there are always college kids looking for work. The plow driver will be an on-call employee. Bryan questioned whether or not it would be worthwhile to have a lawn-cutting company give us bids. Highway employee Demeritt questioned why we don't have the cemetery department budget for and hire

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someone for cemetery mowing. Byrne explained that the Town general fund gets reimbursed for mowing expenses from the Cemetery maintenance fund as it is. Byrne continued that we thought it was progress to have the Town take over the mowing of the cemeteries and recreation fields and she doesn't think we want to move backwards to having individual employees mowing for each area. John Kennedy, who was in attendance, commented that he thinks it would be worthwhile to get quotes from outside sources and then compare the costs. Byrne questioned what our investment of equipment is with this job. Robinson responded that we have the Kubota and 2 lawnmowers. Menter asked Robinson if they'll be all set with their current employees until the end of the year. Robinson said he should be. The Board made it clear that he should come back to them if things are getting out of hand and he thinks they need to fill the seasonal position. There was another seasonal position that never got filled this year. Byrne said she supports the road agent's decision to go with 2 seasonal employees and not fill the full-time position. The Selectmen encouraged Robinson to keep his remaining seasonal employee on as long as he is needed, even if it extends beyond the mowing season.

Robinson reported that on Sunday a guy had a heart attack at the Dragway and the Dragway did not have a defibrillator. It ended up that one of the track members had one but a bit of time passed that they did not have one. The gentleman did pass away. He's not sure if anything will come up on it or not. His only concern is that Brentwood and Epping did issue them a dragway permit; we are under Epping's racing rules. Artimovich said he believes the dragway operates a licensed ambulance so if their license allows them to operate there without a defibrillator he doesn't think we need to be concerned about any liability issues.

At 8:10 p.m. a motion was made by Artimovich and seconded by Menter to adjourn. All voted in favor.

Respectfully submitted,

Julie Stevens